

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Ronnie Jackson,

Case No. 24-cv-54 (NEB/TNL)

Plaintiff,

v.

REPORT AND RECOMMENDATION

Jennifer Shaft, Health Service
Administrator; and Brandy Dropps,
Director of Nursing, in their individual
capacities;

Defendants.

In an order dated January 17, 2024, this Court directed Plaintiff Ronnie Jackson to submit additional financial documentation so that this Court could calculate his initial partial filing fee as required pursuant to 28 U.S.C. § 1915(b). *See* [ECF No. 4]. Plaintiff was given until February 7, 2024, to submit the required financial information, failing which it would be recommended that this action be dismissed without prejudice for failure to prosecute. *See* Fed. R. Civ. P. 41(b).

That deadline has now passed, and Plaintiff has not submitted any financial documentation to the Court. In fact, Plaintiff has not communicated with the Court about this case at all since commencing this action. Accordingly, this Court now recommends, consistent with the warning previously given to Plaintiff, that this action be dismissed without prejudice under Rule 41(b) for failure to prosecute. *See Wewerka v. Roper*, 431 F. App'x 517, 517 (8th Cir. 2011) (per curiam) (affirming dismissal without prejudice pursuant to Rule 41(b) following prisoner's failure to pay initial partial filing fee).

RECOMMENDATION

Based upon the foregoing, and on all of the files, records, and proceedings herein,
IT IS HEREBY RECOMMENDED that this action be **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b) for failure to prosecute.

Dated: February 21, 2024

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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NOTICE

Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. *See* Local Rule 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in Local Rule 72.2(c).